

M I N N E S O T A

Board of Dentistry • Updates

"To ensure that Minnesota citizens receive quality dental health care from competent dental health care professionals"

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PROFESSIONAL DEVELOPMENT

Final Transcripts:

In January 2005, you received your last transcript from the Board of Dentistry. The credits shown represent continuing education cards received in our office through November 1, 2004. You should put this transcript into your portfolio, as these credits *will* apply to your first professional development biennial cycle.

Please note: the final transcripts reflect information regarding your 5-year cycle dates, and do not accurately display the correct end date for your biennial cycle. Please disregard the printed end date.

New Professional Development Rules:

Adopted rules regarding Professional Development became effective January 1, 2005. Please review our previous newsletter (Summer 2004 issue) for a detailed description of the new rules. You may also visit our web site at dentalboard.state.mn.us. We suggest that you keep a copy of the Summer 2004 issue in your portfolio for future reference.

The minimum requirements for each profession are as follows:

Dentists = 50	Credit Hours Per Biennial Cycle
Hygienists = 25	
Dental Assistants = 25	

Professional Development Cycles:

If you were born in an odd-numbered year, your first professional development cycle will end the last day of your birth month in 2007. If you were born in an even-numbered year, your first professional development cycle will end the last day of your birth month in 2008.

Portfolio:

You will be required to obtain and maintain proper documentation for your professional portfolio; you will only submit your complete portfolio to the Board if you are selected for an audit. You will want to retain documentation for your current 2-year biennial cycle AND your previous biennial cycle in the event of an audit.

A minimally acceptable portfolio must include:

- Proof of current certification in a Healthcare Provider/Professional Rescuer CPR course
- Proof of completing Board developed self-assessment (to be available in 2005)
- Documentation of the required number of hours in both fundamental and elective activities
- Proof of completing a minimum of two courses in two of the core competency subject areas

Core competency subject areas are:

- * Record Keeping
- * Infection Control
- * Ethics
- * Patient Communication
- * Management of Medical Emergencies
- * Diagnosis & Treatment Planning
(optional for hygienists & assistants)

Definitions of each core subject area and specific examples are available on our website

MESSAGE FROM THE PRESIDENT

Linda Boyum, RDA



As 2005 begins, the Board of Dentistry anticipates another busy year of activities. If comparable to last year's calendar, the Board will undertake many important assignments on behalf of our commitment to public protection.

This year marks the unveiling of the biennial renewal cycle/professional development rules recently written and approved in September 2004, and published in the latest edition of the Dental Practice Act. From information shared in previous Board of Dentistry *Updates*, we hope that all dental professionals are well versed, enthused, and prepared to assume the responsibility of maintaining a professional development portfolio. The objective remains to encourage individuals to determine their own strengths and weaknesses within the dental profession and engage in a more comprehensive approach to lifelong learning. Should you need further clarification of the professional development rules, please contact the Board of Dentistry staff, refer to the Summer 2004 Newsletter on the Board of Dentistry website, or purchase the Practice Act text from Minnesota's Bookstore in St. Paul.

The Dental Board is continually upgrading our website, which now includes on-line access to renewals, address changes, and license verifications. To view current license or registration information and to verify individual certifications in nitrous oxide inhalation analgesia, conscious sedation, or general anesthesia, you can simply enter the licensee's/registrant's name or license/registration number. This service is available at any time. With the advent of allied dental professionals now being permitted with appropriate education and supervision to induce nitrous oxide, the website is a

valuable tool when needing to verify credentials and certificates. Other on-line features, such as complaint packets, disciplinary actions, meeting schedules, and infection control links, to name a few, continue to be a convenient resource for the public and professionals alike.

Finances for the Board of Dentistry are of continual concern in this time of limited assets and climbing budget deficits. Over the course of the past year, the Board has found the need to curtail out of state travel of members and staff to various meetings and functions in order to balance the budget. The Board of Dentistry newsletter will be found strictly on-line beginning with this issue as another attempt to conserve Board funds. Other cost cutting measures continue to be addressed and will be a high priority for some time to come.

The Board committees remain diligently involved in complaint issues, legislative reporting, education, credentialing, and policy concerns. Currently in the initial stages of rule writing are: criteria for licensure of Internationally Educated Dentists (IED), requirements for general anesthesia and conscious sedation certification, and new duties for registered dental assistants and dental hygienists. Rulemaking is a long and arduous process that offers numerous opportunities for public input, so watch for more information in future publications of the Board of Dentistry newsletter or website to keep abreast of their progress.

The Board of Dentistry is saying "farewell" in 2005 to one of its' long term Board members. Dr. Susan G. Gross is a respected and dedicated professional who has served the public for eight years as a Board Member, generating informed, principled, and effective decisions. She will be deeply missed! On behalf of our Board members, we commend her service and wish her well.

Happy New Year!

A handwritten signature in blue ink that reads "Linda R. Boyum". The signature is fluid and cursive.

DISCIPLINARY ACTIONS

Rodney Anderson, D.D.S.

Conditional License
Shoreview, MN
8/5/2004

Donald Dill, D.D.S.

Unconditional License
Springfield, MN
9/24/2004

Mahmoud El Deeb, D.D.S.

Conditional License
Edina, MN
10/15/2004

Toh Eng Lim, D.D.S.

Conditional License
Eagan, MN
1/28/2005

Robert May, D.D.S.

Unconditional License
Plymouth, MN
6/18/2004

Jane Odgers, D.D.S.

Conditional License
Princeton, MN
1/28/2005

Definition of Terms:

- Conditional License – licensee may continue to practice but must meet specific conditions of Order.
- Limited License – licensee may continue to practice but may not perform certain procedures specified in the Order.
- Suspended License – licensee may not practice for a specified length of time or until certain conditions are met.
- Unconditional license/registration – all terms of the Order have been met, the individual's license/registration is fully restored, and s/he may practice without special conditions or restrictions.
- Voluntary Surrender – the individual can no longer practice, as they have agreed to surrender their license as a means to resolve the violations found in their practice by the Board.

Note: The full text of orders enacted since 9/9/02, may now be viewed on the Board's web site. Go to dentalboard.state.mn.us, click on "Disciplinary Actions," under Complaint / Compliance and click on the highlighted order that you are interested in reviewing. The Board will be considering additional cases at its April 1, 2005 meeting. The web site will be updated the following week.

David Resnick, D.D.S.

Conditional License
Twin Valley, MN
1/28/2005

Steve Selchow, D.D.S.

Conditional License
Eagan, MN
6/18/2004

Brenda M. Turner, R.D.A.

Voluntary Surrender of
License
St. Louis Park, MN
6/18/2004

Jennifer Wendlandt, D.H.

Unconditional License
Woodbury, MN
9/24/2004

Susan L. Wright, R.D.A.

Unconditional Registration
Andover, MN
6/18/2004

UNPAID TAXES?

The Minnesota Department of Revenue can tie up a license or registration due to unpaid taxes. This happens occasionally with dental and other health professionals, under Minnesota Statute 270.72, subd 1.



This law states that the Board "may not issue... or renew, and must revoke, a license for the conduct of a profession... if the commissioner notifies the licensing authority that the applicant owes the state delinquent taxes, penalties, or interest."

The law further states that the Board may issue, transfer, renew, or not revoke the applicant's license only if (a) the commissioner issues a tax clearance certificate and (b) the commissioner or the applicant forwards a copy of the clearance to the authority.

BOARD UPDATE

Since the time this newsletter was prepared, the Board has met, and a number of changes have been made to the Board's structure.

Dr. Susan Gross has completed her second and final term on the Board. Her contributions have been significant and appreciated.

Dr. Mark W. Harris has been named by Governor Pawlenty to the recent Board position. A background article on Dr. Harris will appear in the Spring issue of *Updates*.

The Board elected new officers at its January meeting. The Executive Committee now consists of:

President: Linda Boyum, RDA
Vice President: Nadene Bunge, DH, MA
Secretary: Jerry McCoy EdD
Past President: Freeman Rosenblum, DDS, MSD

LASERS IN DENTISTRY - Board to consider rulemaking for allowable use by dental hygienists

There is no specific language contained in Minnesota's statutes and rules pertaining to the use of lasers by dental hygienists. There is only general language in Minnesota Statute §150A.05, subd 1a, regarding the procedures a dental hygienist can perform, which includes the procedure of "debridement."



- The safety and efficacy of lasers on the health of the dental and periodontal structures must be clearly established before rulemaking or statutory change can proceed.

- Whether lasers can be used for other procedures that can be

performed by dental hygienists or dental assistants.

- Whether training and/or certification(s) for laser use should be required.

Sulcular debridement is one of the functions of the diode laser that has been promoted for use by dental hygienists by laser manufacturing company representatives. Concerns are raised for the Board in that some of the product information for lasers used in dentistry includes a description for debridement as the removal of soft tissue. Removal of soft tissue, including the procedure referred to as "soft tissue curettage," is not a function that dental hygienists can perform in the State of Minnesota.

Matters that the Board will be addressing as they pursue policies relating to the use of lasers by dental hygienists include:

- The law relating to the practice of dental hygienist (see below) does not currently include a definition of the term "debridement." This term, and any other procedural term relating to the functions of lasers, would require definitions.

- The rules that delineate the levels of supervision by the overseeing dentist, for the permissible duties for hygienists (Minn. Rule 3100.8500 and 3100.8700), do not address the level of supervision for the procedure of "debridement" or other possible use of lasers.

The current statutes (laws) and rules in Minnesota do not adequately address laser use by hygienists. At this time, the Minnesota Board of Dentistry would allow a dental hygienist to use a laser if the particular procedure they intend to perform with the laser is one that law and rules currently allows them to perform.

Finally, all dental professionals should be aware that the Board will not allow any allied dental professional to provide ANY service, including the use of a laser, if doing so would be beyond the scope of their education, experience and training.

Minnesota Statute 150A.05, Subd. 1a.

Practice of dental hygienists. A person shall be deemed to be practicing as a dental hygienist within the meaning of sections 150A.01 to 150A.12:

(1) who provides care that is educational, preventive, and therapeutic through observation, assessment, evaluation, counseling, and therapeutic services to establish and maintain oral health;

(2) who evaluates patient health status through review of medical and dental histories, assesses and plans dental hygiene care needs, performs a prophylaxis including complete removal of calciferous deposits, accretions and stains by scaling, polishing, and performs root planing and debridement; ...

RELEASE OF HEALTH RECORDS

The Board of Dentistry receives numerous calls from patients asking why they cannot have their dental records. Often, patients are erroneously told by their dentist that:

- *you have a balance on your account, and your records cannot be released until you have paid that balance; (WRONG)*
- *the records are the doctor's property, and as such, are private; (WRONG)*
- *your records will only be sent to your new provider; (WRONG) or*
- *we never send the written record, only a copy of the most current x-rays (also WRONG)*

Minnesota Rule 3100.9600, subp 13 states:

“A patient’s dental records shall be transferred in accordance with Minnesota Statutes, section 144.335, irrespective of the status of the patient’s account.”

Minnesota Statute 144.335, subd.2 states:

“Upon a patient’s written request, a provider, at a reasonable cost to the patient, shall promptly furnish to the patient (1) copies of the patient’s health record, including but not limited to laboratory reports, x-rays, prescriptions, and other technical information used in assessing the patient’s health condition, or (2) the pertinent portion of the record relating to a condition specified by the patient.”

There are some exceptions:

- IF the dental provider feels the information contained in the dental record is detrimental to the physical or mental health of the patient, or is likely to cause the patient to inflict self harm or to harm another, the provider may withhold the information.
- IF the patient is a child victim or alleged victim of physical or sexual abuse, the provider may withhold any videotape.

A formal complaint on your license may be opened based on failure to release dental records. Please release those records, and do so in a timely fashion.



AGREEMENTS FOR CORRECTIVE ACTION

APRIL 2004 — JANUARY 2005

The Minnesota Board of Dentistry has determined that there may be an educational benefit to publishing summaries of allegations that have led to Agreements for Corrective Action (ACA). ACAs are classified as public documents, but are not disciplinary, and are not reported to the National Practitioner Data Bank. The following summaries include the allegations and the resolution of the complaints, but do not identify the licensee/registrant. The profession and effective date of the Agreement are included for reference.

Profession	Violation(s)	Remedy(s)
<u>Dentist</u> eff. 4/29/04	Failure to make and/or maintain adequate dental records, including... <ul style="list-style-type: none"> •insufficient radiographs taken for diagnosing dental health status prior to treatment 	Coursework Required: <ul style="list-style-type: none"> •Professional risk management course, with emphasis on recordkeeping •Treatment planning course, incl. diagnostic radiographs Report/s to be submitted: incorporation of knowledge gained into practice Take Jurisprudence exam and achieve ≥ 90%
<u>Dentist</u> eff. 7/13/04	Failure to maintain adequate safety and sanitary conditions and comply with current CDC guidelines, including... <ul style="list-style-type: none"> •failure to change lab coat when soiled •failure to properly sterilize and bag instruments •failure to maintain an infection control manual for the office •lack of documentation re: weekly spore testing •unable to articulate understanding of need for check valves, or to demonstrate that they are installed on his dental operatory equipment Lack of communication between dentist and staff Failure to display annual license renewal certificate	Activities Required: <ul style="list-style-type: none"> •submit spore testing records •comply with requirement for check valves •post license and registration certificates •staff to review Exposure Control Plan and Bloodborne Pathogens manual and submit documentation of having done so •conduct monthly staff meetings and provide documentation of having done so Report/s to be submitted: incorporation of knowledge gained into practice re: infection control (x 2) Unannounced office inspection Take Jurisprudence exam and achieve ≥ 90%
<u>Dental Assistant</u> eff. 7/30/04	Performed services beyond those allowed prior to becoming a registered dental assistant	Report/s to be submitted: permissible duties Take Jurisprudence exam and achieve ≥ 90%
<u>Dentist</u> eff. 8/13/04	Failure to comply with training and educational requirements to administer anesthesia and sedation	Discontinue administering pharmacological agents or pre-medications (including nitrous oxide analgesia) that may result in conscious sedation Coursework Required: <ul style="list-style-type: none"> •complete requirements for conscious sedation administration certification (60° didactic, 20° clinical, ≥ 10 cases) •complete instruction in advanced cardiac life support

Profession	Violation(s)	Remedy(s)
		Report/s to be submitted: incorporation of knowledge gained into practice Unannounced records inspection Unannounced facility inspection
<u>Dentist</u> eff. 8/24/04	Failure to make and/or maintain adequate dental records, including <ul style="list-style-type: none"> •no documentation of patient's existing oral health status •no periodontal charting •no treatment plan with treatment options •no informed consent •no indication of types and amounts of medications and materials used •failure to document pre-medication of prophylactic antibiotics, or to review or authorize use of medications 	Coursework Required: <ul style="list-style-type: none"> •Treatment planning course •Recordkeeping instruction •Risk management course •Recordkeeping instruction Report/s to be submitted: incorporation of knowledge gained into practice for above courses, and report on appropriate use of prophylactic antibiotics Take Jurisprudence exam and achieve $\geq 90\%$
<u>Dentist</u> eff. 9/2/04	Failure to make and/or maintain adequate dental records, including <ul style="list-style-type: none"> •no diagnosis indicated •no treatment plan with treatment options •no informed consent •lack of signature/initials of provider 	Coursework Required: <ul style="list-style-type: none"> •Recordkeeping (management of patient records) course Report/s to be submitted: incorporation of knowledge gained into practice Licensee and staff to review Minnesota dental practice recordkeeping rule (MR 3100.9600) and verify completion
<u>Dentist</u> eff. 10/19/04	Failure to make and/or maintain adequate dental records, including <ul style="list-style-type: none"> •no documentation of patient's existing oral health status •no periodontal charting •inadequate clinical examination records, incl. radiographs and diagnostic casts •no health history •no diagnosis indicated •no treatment plan with treatment options •no informed consent •no indication of types and amounts of medications and materials used 	Coursework Required: <ul style="list-style-type: none"> •Treatment Planning Course: "Dental Patient Management- Dental Records and Treatment Planning" Report/s to be submitted: incorporation of knowledge gained into practice Records Inspection
<u>Dentist</u> eff. 10/21/04	Exchange of inappropriate and unprofessional correspondence with a patient	Individualized professional boundaries instruction Report/s to be submitted: incorporation of knowledge gained into practice
<u>Dentist</u> eff. 11/3/04	Failure to make and/or maintain adequate dental records, including <ul style="list-style-type: none"> •no treatment plan with treatment options •no informed consent 	Coursework Required: <ul style="list-style-type: none"> •Risk management course Report/s to be submitted: incorporation of knowledge gained into practice

<u>Dentist</u> eff. 11/9/04	<p>Failure to maintain adequate safety and sanitary conditions and comply with 2003 CDC guidelines, including...</p> <ul style="list-style-type: none"> •failure to conduct weekly spore testing •lack of use of a protective mask <p>Failure to make and/or maintain adequate dental records, including...</p> <ul style="list-style-type: none"> •lack of signature/initials of provider 	<p>Coursework Required:</p> <ul style="list-style-type: none"> •infection control instruction •recordkeeping instruction <p>Report/s to be submitted: incorporation of knowledge gained into practice for above courses</p> <p>Take Jurisprudence exam and achieve $\geq 90\%$</p>
<u>Dentist</u> eff. 11/10/04	<p>Failure to maintain adequate safety and sanitary conditions and comply with 2003 CDC guidelines, including...</p> <ul style="list-style-type: none"> •failure to conduct weekly spore testing •instruments stored unbagged in operatory drawers •failure to consistently wear a protective mask during certain dental procedures 	<p>Coursework Required:</p> <ul style="list-style-type: none"> •infection control instruction •recordkeeping instruction <p>Report/s to be submitted: incorporation of knowledge gained into practice for above courses</p> <p>Take Jurisprudence exam and achieve $\geq 90\%$</p>
<u>Dentist</u> eff. 01/20/05	<p>Failure to make and/or maintain adequate dental records prior to providing prosthodontic treatment for a patient, including...</p> <ul style="list-style-type: none"> •no diagnosis indicated •no treatment plan 	<p>Coursework Required:</p> <ul style="list-style-type: none"> •Treatment Planning Course: "Dental Patient Management- Dental Records and Treatment Planning" <p>Report/s to be submitted: incorporation of knowledge gained into practice for above courses</p>
<u>Dentist</u> eff. 01/25/05	<ul style="list-style-type: none"> • Failure to provide appropriate endodontic, prosthodontic treatments. • Failure to make and/or maintain adequate dental records. • Improper prescribing and administration of anesthetic. • Misleading information on form used in practice. 	<p>Coursework Required:</p> <ul style="list-style-type: none"> •Splint therapy instruction •Ethics course •Instruction in pain management, to include management of anxiety in patients. •Risk management/recordkeeping course <p>Report/s to be submitted: incorporation of knowledge gained into practice for above courses (x4)</p>
<u>Dentist</u> eff. 01/25/05	<p>Failure to make and/or maintain adequate dental records.</p>	<p>Coursework Required:</p> <ul style="list-style-type: none"> •recordkeeping instruction <p>Report/s to be submitted: incorporation of knowledge gained into practice for above courses</p>
<u>Dentist</u> eff. 01/28/05	<p>Exchange of inappropriate and unprofessional verbal communications with a patient</p>	<p>Coursework Required:</p> <ul style="list-style-type: none"> •professional boundaries instruction <p>Report/s to be submitted: incorporation of knowledge gained into practice for above courses</p>

UPCOMING BOARD AND COMMITTEE MEETINGS

Board Meeting	1/28/05, 8:30 am	OPEN	Complaint Committee "A"	2/25/05, 8:30 am	CLOSED
Executive Committee	1/28/05, after Bd Mtg	CLOSED	Complaint Committee "A"	3/11/05, 8:30 am	CLOSED
Joint Complaint Committee	1/28/05, after Exc Mtg	OPEN	Licensure & Credentials	3/25/05, 8:00 am	CLOSED
Licensure & Credentials	2/14/05, 8:00 am	CLOSED	Complaint Committee "B"	3/31/05, 8:00 am	CLOSED
Complaint Committee "B"	2/23/05, 8:00 am	CLOSED	Board Meeting	4/01/05, 8:30 am	OPEN

NOTE: The Board office will be closed on 2/21/05 for Presidents Day.

NAME AND/OR ADDRESS CHANGE

If you have a name or address change you must inform the Board in writing within 30 days of the change. Practicing dentists are required to have their primary practice address on record with the Board. All others may list a home address. Note: Your name and address are public information.

Name (last, first, middle)	Former Name (if applicable)
Old Address	New Address (if applicable)
Street:	Street:
City/Town:	City/Town:
State:	State:
Zip Code:	Zip Code:
MN Dental License/Registration Number:	Daytime Phone Number:
Signature (Required):	Email Address:
	Effective Date:



Please cut along dotted line and mail to Board office.



Board Members

Linda Boyum, RDA, President (2006) Plymouth
 Nadene Bunge, DH, MA, Vice President (2009) Rochester
 Gerald McCoy, Public Member, EdD, Secretary (2007) .. Eden Prairie
 Freeman Rosenblum, Past President, DDS, MSD (2006) St. Paul
 John Bengtson, DDS (2007) Fairfax
 Mark W. Harris, DDS, (2009) Tonka Bay
 Ronald King, DDS (2007) St. Louis Park
 Marguerite Rheinberger, JD, MPH, MA,
 Public Member, (2008) Stillwater
 Dean J. Singsank, DDS (2008) Grand Rapids

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 Kathy Johnson Legal Analyst
 Joyce Nelson Licensure & Prof. Dvlpmt. Administrator
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